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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

Case No. 2:13-cv-01498-APG-PAL

8 Plaintiff,

ORDER

9 v.

10 IVAN G. PIVAROFF, et al.,

11 Defendants.

12 Before the court is the Supplemental Affidavit of Jeffrey D. Lewin in Support of
13 Emergency Motion to Withdraw as Counsel of Record for Blenheim Trust Company, Ltd., as
14 Trustee of Kihei International Trust (Dkt. #145).

15 In a prior Order (Dkt. #144) the court denied counsel's motion to withdraw without
16 prejudice because the motion did not identify the individual who instructed counsel to cease
17 providing legal services, and the motion only contained the London, England address for the
18 entity with no individual to whom notice and the order should be directed. Mr. Lewin has now
19 submitted a supplemental affidavit indicating that John Robilliard, Director of Blenheim Trust
20 Co. Ltd., is the individual who instructed counsel to cease providing legal services in this case.

21 Judge Gordon has set this case for a contempt hearing on September 17, 2015 based on
22 my Order and Report and Recommendation (Dkt. #149). *See*, Order (Dkt. #152) changing the
23 location of the hearing. Local Rule IA 10-6(e) provides that "[e]xcept for good cause shown, no
24 withdrawal or substitution shall be approved if delay of discovery, the trial or any hearing in the
25 case would result." A corporation cannot appear except through counsel. *See Rowland v.*
26 *California Men's Colony*, 506 U.S. 194, 201-02 (1993); *United States v. High Broadcasting Co.,*
27 *Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). As such, counsel for Blenheim Trust Co. Ltd. will not
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1 be permitted to withdraw before the hearing unless substitute counsel has been retained, and
2 made an appearance in conformance with the Local Rules of Practice.

3 **IT IS ORDERED** that:

- 4 1. Blenheim Trust Company shall have until **October 1, 2015**, to retain substitute
5 counsel who shall make an appearance in this matter in accordance with the Local
6 Rules of Practice. Failure to timely comply with this order may result in sanctions,
7 up to and including a recommendation to the district judge of case dispositive
8 sanctions.
- 9 2. Existing counsel will be permitted to withdraw once substitute counsel has made an
10 appearance, and **shall appear at the September 17, 2015 hearing** set by the district
11 judge unless the district judge orders otherwise.

12 DATED this 3rd day of September, 2015.

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14 PEGGY A. LEEN
15 UNITED STATES MAGISTRATE JUDGE
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